

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on November 1, 2021. Mayor Dehen called the meeting to order at 7:00 pm, asking that everyone join in the Pledge of Allegiance. The following were present for roll call: Council Members Norland, Whitlock, City Administrator Harrenstein, and City Clerk Van Genderen. Absent: Council Member Oachs and Steiner, Community Development Director Fischer Finance Director McCann, and Public Works Director Host.

**Approval of Agenda**

**Council Member Norland moved, seconded by Council Member Whitlock, to approve the agenda as presented. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Approval of Council Minutes from September 20, 2021, Council Meeting.**

**Council Member Whitlock moved, seconded by Council Member Norland, to approve the Council meeting minutes of September 20, 2021. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Approval of Council Work Session Minutes from September 27, 2021, Council Work Session.**

**Council Member Norland moved, seconded by Council Member Whitlock, to approve the Council Work Session Minutes of September 27, 2021. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Approval of Council Work Session Minutes from October 11, 2021, Council Work Session.**

**Council Member Whitlock moved, seconded by Council Member Norland, to approve the Council Work Session Minutes of October 11, 2021. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Approval of Council Work Session Minutes from October 25, 2021, Council Work Session.**

**Council Member Whitlock moved, seconded by Council Member Norland, to approve the Council Work Session Minutes of October 25, 2021. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Consent Agenda**

**Council Member Whitlock moved, seconded by Council Member Norland, to approve the Consent Agenda.**

- A. Bills and Appropriations.
- B. Res. No. 62-21 Accepting Donations/Contributions/Grants.
- C. Received and Approved the Recommendations from September 21, 2021, Traffic & Safety Committee Meeting.
- D. Approved Licenses for 169 roadhouse, LLC D/B/A 169 Roadhouse Bar and Grill at 1006 North River Drive for On-Sale Liquor, Sunday On-Sale Liquor, Soft Drink and Mechanical Amusement Device Application.
- E. Res. No. 63-21 Declaring Surplus Vehicles and Equipment.

**Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Public Comments Concerning Business Items on the Agenda**

None.

**Business Items****Res. No. 64-21 Receiving Feasibility Report and Calling Hearing for Project No. 21-05 ABCDEF Lor Ray Drive Street and Utility Improvement Project and Project No. 21-06 ABCDEF McKinley Avenue Street and Utility Project.**

City Engineer Dan Sarff appeared before Council and reviewed the two project areas. The reports were authorized by resolution on September 7, 2021. He first reviewed the Lor Ray Drive project. The Sanitary sewer improvements include extending and increasing the size of sanitary sewer to accommodate development in the area. Watermain improvements include extending watermain services to accommodate expansion in areas north of Somerset Lane and areas along Lor Ray Drive for future growth. There is no existing storm sewer on Lor Ray Drive within the project limits. The proposed street improvements include converting the existing rural roadway section to an urban street section with curb and gutter. The storm sewer improvements would include the construction of storm sewer ranging in size from 12 to 24 inches in diameter, construction of inlets at low points, and construction of new manholes. The proposed storm sewer improvements would only provide drainage for the street right-of-way. Future developments would have their storm sewers. The upgrades include stormwater ponds to meet the requirement of the NPDES permit and MS4 permit. Included in the project would be two new ponds designed to accommodate the stormwater runoff from future developments. Street and surface improvements include a 40-foot wide street with a curb and gutter on both sides. The proposed width would accommodate on-street parking, and the new street would be lowered to 2 to 4 feet to be at or below the grade of adjacent ground. An 8' wide concrete walk would be along the east side and an 8' wide trail along the west side. New street lights would be installed.

City Engineer Sarff reviewed the McKinley Avenue project. The Sanitary Sewer improvements include replacing the 65-year-old sanitary system with a new 8" PVC pipe, replacing maintenance holes. No improvements are needed to the existing 21" trunk sewer on Cross Street, which is planned for lining and manhole rehabilitation in the future. Watermain improvements include replacing the 65-year-old 6" cast iron pipes with 8" PVC watermain pipes, installing new hydrants and valves, and replacing existing service lines with 1" diameter plastic piping within the street right-of-way. It will be the property owner's responsibility to replace the service line from ROW to their house if necessary. New auto-reading water meters will also be installed. Storm Sewer improvements include constructing a storm sewer system with 12" to 18" in diameter pipes connecting to the existing storm sewer at Sherman Street and Center Street. The system will be designed to accommodate a 10-year runoff. Street and surface improvements includes reconstruction of the existing street with new pavement and curb and gutter at a 31" width from Sherman to Cross and a 32" width from Cross to Range. The width will continue to allow parking on both sides. The project also includes new street lights. The current sidewalk system includes sidewalk from Center Street to Cross Street on the south side except for approximately 80 feet at the westerly end. There is also sidewalk on the north side except for approximately 200 feet at the westerly end of Cross Street to Range Street has sidewalk on the south side but no sidewalk on most of the north side except for several short unconnected segments. Most of the sidewalks are 5' wide. City Engineer Sarff reported the Future Sidewalk System Development Map, which was included in the Complete Streets Plan adopted by Council in 2016, includes a sidewalk on both sides of McKinley from Sherman Street to Range Street. City Administrator Harrenstein noted this is not based on the Safe Routes to School recommendation. It is a

part of a plan adopted by the Council. City Engineer Sarff reported he did not need to know until November 15, 2021, if the sidewalks should be included in the plan. City Engineer Sarff reviewed the trees existing on McKinley Avenue and reported that all but one of the 11 trees in the right-of-way are recommended for removal due to deficiencies and that 7 of the trees are Ash trees.

City Engineer Sarff reviewed the pedestrian and bicycle accommodations proposed along Lor Ray Drive. Pedestrian access includes the construction of an accessible 8' wide sidewalk on the east side of the street conforming to the City's Complete Streets guidelines for pedestrians access. On McKinley, the proposal is to improve existing sidewalks on a portion of McKinley Avenue, including a new sidewalk on both sides of the street from Sherman Street to Range Street. Bicycle accommodations on Lor Ray Drive include construction of an accessible 8' wide trail on the west side of the street conforming with the City's Complete Streets Guide for bicycle access. No bicycle recommendations were made for McKinley.

City Engineer Sarff reviewed the proposed estimates and funding for the projects. The Lor Ray Drive Project total estimate is \$3,690,000 with the financing of \$1,016,000 from the Coronavirus Relief Fund, \$575,000 from Local Road Improvement Program (LRIP) Funds, \$325,000 from Municipal State Aid Advance, and \$1,774,000 in Special Assessments and Bonds. McKinley Avenue's total estimated project cost is \$1,675,000 with funding of \$184,000 from the Coronavirus Relief Fund and \$1,491,000 from Special Assessments and Bonds. Mayor Dehen requested clarification on if the plan is to create a City streetscape on Lor Ray Drive. City Engineer Sarff confirmed that was the plan.

City Engineer Sarff reviewed the Assessment policy. He noted that the City's assessment policy states 100% of the sanitary sewer and water services is assessable. The balance of the project costs would be 40% assessable to residents, and the remaining 60% is City cost. The calculated McKinley Avenue assessments were approximately \$5,500 to roughly \$23,100. City staff is recommending capping the assessment to \$7,500 per lot for McKinley Avenue. A neighborhood meeting is planned for November 8<sup>th</sup> at 5:00 pm. City Engineer Sarff reported the Lor Ray Drive assessments would follow the same policy, and Finance Director McCann will plan to speak directly with the landowners affected by that project.

City Engineer Sarff reviewed the proposed schedule noting the improvement hearing will be held on November 15, 2021, the bid opening is scheduled for March 1, 2022, the assessment hearing on April 4, 2022, with construction beginning in early May and concluding in late October or early November.

Council Member Whitlock asked if there were plans to connect the trail from Lor Ray Drive just past St. Johns Court. If the path was connected there, it would head west and would line up with Fairbanks Drive. The path would also line up with Benson Park improving connectivity. City Engineer Sarff stated that it was not currently identified, but it would be good to look into the connection.

Council Member Norland requested clarification on water quality and the materials used in the drinking water. City Engineer Sarff stated the plastic is all bound and would not release PFAs. Council Member Norland requested clarification on the geotextile fabric. City Engineer Sarff reported it was a non-degradable fabric used to stabilize under the ground under a roadway.

Mayor Dehen requested consideration of traffic calming on Lor Ray Drive as he noted the area currently has areas of high rates of speed due to its structure. City Engineer Sarff reported they would consider ways to calm the traffic, but the width would be needed for community development. Mayor Dehen requested information on the current rate of I&I with the work completed on the presidents' row. City Engineer Sarff reported those numbers could be reviewed and provided to Council.

**Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Res. No. 64-21 Receiving Feasibility Report and Calling Hearing for Project No. 21-05 ABCDEF Lor Ray Drive Street and Utility Improvement Project and Project No. 21-06 ABCDEF McKinley Avenue Street and Utility Project. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 65-21 Providing for the Issuance and Sale of \$2,675,000 General Obligation Refunding Bonds, Series 2021C. Pledging for the Security Thereof Net Revenue, Tax Abatements, Special Assessments, and Levying a Tax for the Payment Thereof.**

Bond Counsel Jessica Green from Northland Securities appeared before Council and reported the proceeds from the Bonds will be used to current refund the City's General Obligation Improvement Bonds, Series 2010A, and the City's General Obligation Bonds, Series 2014A. The Bonds have been structured to result in relatively level annual debt service savings over the life of each refunding portion of the Bonds and will preserve the original structure of the 2010A and 2014A Bonds. The GO Bonds will be payable from special assessments against benefitted properties, water and sewer utility revenues, abatement levies, and ad valorem taxes. The sale of the bonds was competitive with three bids, and the bonds were underwritten by Raymond James & Associates of St. Petersburg, Florida. The plan's savings were more significant than anticipated, with an All Inclusive Cost of 1.41% and a True Interest Cost of .98%. A total of \$99,159 will be saved on the 2010A Bonds, and \$126,628 will be saved on the 2014A Bonds.

**Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Res. No. 65-21 Providing for the Issuance and Sale of \$2,675,000 General Obligation Refunding Bonds, Series 2021C. Pledging for the Security Thereof Net Revenue, Tax Abatements, Special Assessments, and Levying a Tax for the Payment Thereof. Vote on the motion Norland, Whitlock, and Dehen aye; no nays. Motion carried.**

### **City Administrator and Staff Comments**

City Administrator Harrenstein reported Caswell Sports received the "James Farrell Award of Excellence" at last week's USA Softball National Council Meeting for the 5<sup>th</sup> straight year. Caswell was also awarded two national tournaments for 2023. This means Caswell will welcome teams from all 50 states in the summer of 2023.

City Administrator Harrenstein reported the Library's Trunk or Treat had a great turnout with 17 vehicles/trunks and around 1,600 trick-or-treaters. The library will kick off the Holiday Sharing Tree on Wednesday, November 10<sup>th</sup>.

City Administrator Harrenstein reported leaf collection continues. Well #6 rehab project continues at Water Plant #1. The Marvin lift station pump and controls project is being completed this week. Please dispose of pumpkins at the City's compost site at 600 Webster Avenue.

City Administrator Harrenstein reported City Hall and the Taylor Library will be closed on November 11, 2021, in observance of Veterans Day.

### **Mayor and Council Comments**

Council Member Norland reminded residents to rake their leaves to the curb but not in the gutter to help provide walking space for walkers.

Council Member Norland noted it is Native Heritage Month.

Mayor Dehen reported he partook in a Kato Towns Compassionate Charter ceremony with Mankato and NicBluCares representatives.

Mayor Dehen congratulated and welcomed Dillon Brashear to the North Mankato Police Department.

At 7:56 pm, on a motion by Council Member Norland, seconded by Council Member Whitlock, the Council Meeting adjourned to a closed session to discuss active litigation concerning Borchardt's litigation.

At 8:18 pm, the Council Meeting resumed. Mayor Dehen reported the Council discussed the active litigation with the Borchardt's and determined to respect the Court of Appeals order and take no additional action.

At 8:20 pm, on a motion by Council Member Whitlock, seconded by Council Member Norland, the Council Meeting was adjourned.

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Mayor

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City Clerk